IN THE HIGH COURT OF JUDICATURE AT PATNA
Cr.Misc. No.43835 of 2008
ASHOK PANDEY
Versus
STATE OF BIHAR
---

2 21.11.2008 Heard learned counsel for the petitioner and the State as also for the complainant who has appeared suo motu.

The petitioner, who is the husband, apprehends arrest in a complaint case under section 498A of Indian Penal Code and section 4 of D.P. Act.

It is not in controversy between the parties that the marriage between them was solemnized 14 years ago. The petitioner is alleged to have re-married in 1996 when the present application have been made 10 years later in the year 2006. The submission is that it is essentially in the garb of maintenance claimed, and for which the petitioner undertakes to cooperate if she prefers any application for maintenance.

WEB COPY NOT OFFICIAL

In the circumstances and the undertaking on behalf of the petitioner, let the petitioner abovenamed surrender before the court below within four weeks when he shall be enlarged on anticipatory bail upon furnishing the bail bonds of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned S.D.J.M., Bettiah in connection with Complaint case no. 1937-C/06.

The counsel for the complainant states that she has filed a claim for maintenance under section 125 Cr.P.C. in the year 2006 pending before the Principal Judge, Family Court,

Bettiah. He is further unable to furnish the details of the same.

Counsel for the petitioner assures the Court that as and when the detail of the maintenance case is made available to the petitioner either to the present counsel or to the counsel representing him in the complaint case, he shall duly enter appearance therein and cooperate for early disposal.

**pkj** **(Navin Sinha, J)**

WEB COPY NOT OFFICIAL